

## REMARKS

Claims 1-18 are pending in the Application. Claims 19 and 20 are newly submitted. Claims 1-18 are currently amended.

Applicant notes with appreciation the Examiner's acknowledgement of Applicant's claim for foreign priority under 35 USC 119(a)-(d), and that the certified copies of the priority documents have been received.

Claims 1, 2, 7, and 8 are rejected under 35 USC 102(e) as being anticipated by Ko (US 7,051,280). Claims 1, 2, 7, and 8 are rejected under 35 USC 102(b) as being anticipated by Ward et al (US 2005/0010949). Claims 4, 6, 10, and 12 are rejected under 35 USC 103(a) as being unpatentable over Ko as applied to claims 1, 2, 7, and 8 and further in view of Tani (US 2004/0041026). Claims 3 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ward as applied to claims 1, 2, 7, and 8, and further in view of Kaizu et al (US 2002/0097985). Claims 5 and 11 are rejected under 35 USC 103(a) as being unpatentable over Ko as applied to claims 1, 2, 7, and 8, and further in view of Ward. Claims 16 and 17 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Tani. Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Ward and Tani as applied to claims 16 and 17, and further in view of Labeeb et al (US 2003/0093792). Claims 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Goldman (US 2002/0112239) and further in view of Tani. Claim 15 is rejected under 35 USC 103(a) as being unpatentable over Goldman and Tani as applied to claims 13 and 14, and further in view of Labeeb. Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

**Rejection under 35 USC 102(e) as being anticipated by Ko**

Claims 1, 2, 7, and 8 are rejected under 35 USC 102(e) as being anticipated by Ko.

As amended, independent claim 1 recites a broadcast apparatus for processing a medium comprising a color code, the apparatus comprising a broadcast reserve-recording unit, wherein the broadcast reserve-recording apparatus selects a broadcast program to be recorded via broadcast information associated with the color code of the medium.

Page 2 of the Office Action states that col. 4 lines 7-12 and col. 5 lines 24-37 of Ko disclose color identifying the title of the reserve-recorded program.

Col. 4 lines 7-12 of Ko disclose corresponding program title and a content set in day and temporal axes are displayed by identifying them by color. Applicant submits that displaying a reservation guide where corresponding program title and a content set in day and temporal axes are displayed by identifying them by color is not the same as selecting a broadcast program to be recorded via broadcast information associated with the color code of the medium as recited in claim 1.

Unlike the apparatus recited in independent claim 1 wherein “the broadcast reserve-recording apparatus selects a broadcast program to be recorded via broadcast information associated with the color code of the medium,” Ko discloses an apparatus wherein the user must manually move a cursor to a desired channel program in order to select the program to be recorded. (Ko col. 4 line 66 – col. 5 line 7). Selecting a program to be recorded based on a user manually moving a cursor to the desired program is not the same as selecting a program to be recorded via broadcast information associated with the color code of the medium. Therefore, Ko cannot teach or suggest “wherein the broadcast reserve-recording apparatus selects a broadcast program to be recorded via broadcast information associated with the color code of the medium,” as recited in amended claim 1.

Additionally, Applicant submits that Ko is absolutely silent on a broadcast apparatus for processing a medium comprising a color code. Since Ko is silent on a medium comprising a color code, Ko cannot teach or suggest a medium comprising a color code as recited in independent claim 1.

For the reasons presented above, Applicant submits that Ko fails to teach or suggest the elements recited in amended independent claim 1. Therefore, claim 1 should be allowable over Ko. Additionally, independent claim 7 recites elements similar to claim 1. Specifically independent claim 7, as amended, recites reserve-recording broadcast program via broadcast program information associated with a color code or a gray code. Therefore, independent claim 7 should be allowable for the reasons presented with respect to independent claim 1. Finally, claims 2 and 8 should be allowable by virtue of their dependence on allowable independent claims 1 and 7.

**Rejection under 35 USC 102(b) as being anticipated by Ward et al**

Claims 1, 2, 7, and 8 are rejected under 35 USC 102(b) as being anticipated by Ward et al.

As discussed above, independent claim 1 recites a broadcast apparatus for processing a medium comprising a color code, the apparatus comprising a broadcast reserve-recording unit, wherein the broadcast reserve-recording apparatus selects a broadcast program to be recorded via broadcast information associated with the color code of the medium.

Paragraph 0151 of Ward asserted by the Examiner discloses A EPG Record Function which provides a Record List that identifies the titles of programs that the viewer has selected to be recorded. The titles of programs are color coded to show which programs may be recorded on one tape in either fast tape speed or slow tape speed. Applicant submits that color coding titles of programs based on the eligibility to be recorded on a tape depending on tape speed is not the same as selecting “a broadcast

program to be recorded via broadcast information associated with the color code of the medium,” as recited in amended independent claim 1.

Additionally, Applicant submits that Ward is absolutely a broadcast apparatus for processing a medium comprising a color code. Since Ward is silent on a medium comprising a color code, Ward cannot teach or suggest a medium comprising a color code as recited in independent claim 1.

For the reasons presented above, Applicant submits that Ward fails to teach or suggest the elements recited in amended independent claim 1. Therefore, independent claim 1 should be allowable over Ward. Additionally, independent claim 7 recites elements similar to claim 1. Specifically claim 7, as amended, recites reserve-recording broadcast program via broadcast program information associated with a color code or a gray code. Therefore, independent claim 7 should be allowable for the reasons presented with respect to independent claim 1. Finally, claims 2 and 8 should be allowable by virtue of their dependence on allowable independent claims 1 and 7.

#### **Rejection under 35 USC 103(a) as being unpatentable over Ko and Tani**

Claims 4, 6, 10, and 12 are rejected under 35 USC 103(a) as being unpatentable over Ko as applied to claims 1, 2, 7, and 8 and further in view of Tani.

Applicant has demonstrated above that Ko does not teach or suggest various features recited in claims 1 and 7. Applicant further submits that Tani does not supply any of the deficiencies of Ko with respect to a broadcast program to be recorded via broadcast information associated with the color code of the medium and a medium comprising a color code. Therefore, claims 1 and 7 are allowable over the asserted combination of references and claims 4, 6, 10, and 12 should be allowable at least by virtue of their dependency upon allowable independent claims 1 and 7.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Kaizu**

Claims 3 and 9 are rejected under 35 USC 103(a) as being unpatentable over Ward as applied to claims 1, 2, 7, and 8, and further in view of Kaizu.

Applicant has demonstrated above that Ward does not teach or suggest various features recited in claims 1 and 7. Applicant further submits that Kaizu does not supply any of the deficiencies of Ward with respect to a broadcast program to be recorded via broadcast information associated with the color code of the medium and a medium comprising a color code. Therefore, claims 1 and 7 are allowable over the asserted combination of references and claims 3 and 9 should be allowable at least by virtue of their dependency upon allowable independent claims 1 and 7.

**Rejection under 35 USC 103(a) as being unpatentable over Ko and Ward**

Claims 5 and 11 are rejected under 35 USC 103(a) as being unpatentable over Ko as applied to claims 1, 2, 7, and 8, and further in view of Ward.

Applicant has demonstrated above that Ko does not teach or suggest various features recited in claims 1 and 7. Applicant further submits that Ward does not supply any of the deficiencies of Ko with respect to a broadcast program to be recorded via broadcast information associated with the color code of the medium and a medium comprising a color code. Therefore, claims 1 and 7 are allowable over the asserted combination of references and claims 5 and 11 should be allowable at least by virtue of their dependency upon allowable independent claims 1 and 7.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Tani**

Claims 16 and 17 are rejected under 35 USC 103(a) as being unpatentable over Ward and further in view of Tani.

As amended, independent claim 16 recites photographing a color code comprising broadcast program information.

Page 7 of the Office Action states that Ward fails to teach photographing a color code. The Office Action further states that Fig. 3 and paragraphs [0029]-[0030] of Tani teach photographing a color code.

Paragraphs [0033]-[0034] of Tani disclose that “The character data input/output controller 113 refers to the code reverse conversion table section 112 when color codes are input through the CPU 110 from the CPU 110 and returns character codes corresponding to the input color codes to the CPU 110. The printer 114 used as the character data output device receives as input character codes returned from the character code input/output controller 113 to the CPU 110 and outputs character data corresponding to the character codes.”

The passage above reveals that the camera disclosed in Tani outputs the read color marks to a character data I/O controller which returns character codes corresponding to the input color codes and prints the character data corresponding to the character codes. Applicant submits that the passage above is absolutely silent on a color code comprising broadcast program information. Rather, the color code in Tani is associated with a character code which is then sent to a printer. A character code is patently distinguishable from broadcast program information. Therefore, Tani cannot teach or suggest photographing a color code comprising broadcast program information as recited in amended claim 16.

As mentioned in the Office Action, Ward fails to teach or suggest elements recited in claim 16. Additionally, it is respectfully submitted that Tani fails to cure the deficiencies of Ward with respect to “photographing a color code comprising broadcast program information.” Therefore, claim 16 should be allowable over the cited combination of references. Additionally, claim 17 should be allowable by virtue of its dependence on allowable independent claim 16.

**Rejection under 35 USC 103(a) as being unpatentable over Ward and Tani and  
further in view of Labeeb.**

Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Ward and Tani as applied to claims 16 and 17, and further in view of Labeeb.

Applicant has demonstrated above that Ward and Tani do not teach or suggest various features recited in claims 16. Applicant further submits that Labeeb does not supply any of the deficiencies of Ward and Tani with respect to photographing a color code comprising broadcast program information. Therefore, claims 16 is allowable over the asserted combination of references and claim 18 would be allowable at least by virtue of its dependency upon allowable independent claim 16.

**Rejection under 35 USC 103(a) as being unpatentable over Goldman and further in  
view of Tani.**

Claims 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over Goldman and further in view of Tani.

As amended, claim 13 recites an image capturing device for photographing a color code comprising broadcast program information.

Page 9 of the Office Action states that Goldman fails to teach photographing a color code. The Office Action further states that Fig. 3 and paragraphs [0029]-[0030] of Tani teach photographing a color code.

As previously respectfully submitted with respect to the rejection of claims 16, Tani fails to teach “photographing a color code.” Therefore, Tani cannot teach or suggest photographing a color code comprising broadcast program information as recited in amended claim 13.

As mentioned in the Office Action, Goldman fails to teach or suggest elements recited in claim 13. Additionally, Tani fails to cure the deficiencies of Goldman with respect to “an image capturing device for photographing a color code comprising broadcast program information.” Therefore, claim 13 should be allowable over the cited combination of references. Additionally, claim 14 should be allowable by virtue of its dependence on allowable independent claim 13.

**Rejection under 35 USC 103(a) as being unpatentable over Goldman and Tani and further in view of Labeeb**

Claim 15 is rejected under 35 USC 103(a) as being unpatentable over Goldman and Tani as applied to claims 13 and 14 above, and further in view of Labeeb.

Applicant has demonstrated above that Goldman and Tani do not teach or suggest various features recited in claim 13. Applicant further submits that Labeeb does not supply any of the deficiencies of Goldman and Tani with respect to an image capturing device for photographing a color code comprising broadcast program information. Therefore, claim 13 is allowable over the asserted combination of references and claim 15 would be allowable at least by virtue of its dependency upon allowable independent claim 13.



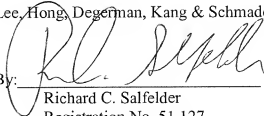
### CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: May 5, 2008

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